IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.1245 OF 2005

IN

SUIT NO.2531 OF 1992

1.Bankim Prabhatchandra Dalal
and others. ...Plaintiffs

Vs.

Snehchandra H. Dalal & another. ...Defendants.

Mr.K.P.Jain i/b. Mehta & Girdharlal, for Plaintiffs.

None for Defendants.

CORAM: D.K.DESHMUKH,J.

DATED: 24th August, 2006.

P.C.:-

1. This is a notice of motion taken out by the plaintiffs for passing a decree in terms of the Award made by the learned Arbitrator which is at Exhibit "C" to the affidavit filed in support of the notice of motion. The Arbitrator was appointed in this suit itself. An affidavit

has been filed on behalf of defendant no.2. He stated that he has no objection to decree being passed in terms of the Award. Defendant no.1 has expired. His legal representatives are brought on record. They have been served with the notice of motion. They have not filed any reply. Affidavit of service has been filed. Therefore, in view of the no objection given by defendant no.2 and in the absence of any reply filed by the legal representatives of defendant no.1 accepting the averments in the affidavit filed in support of notice of motion at face value, the notice of motion is granted in terms of prayer clause (a). The notice of motion is disposed of.

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